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Counsellors at Law

FEDERAL COMMUNICATIONS COMMISSION OFFICE OF THE SECRETARY

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April 15, 1998

#### VIA HAND DELIVERY

Ms. Magalie Roman Salas Secretary Federal Communications Commission 1919 M Street, N.W. Room 222 Washington, D.C. 20554

> Petition for Rule Making FM Table of Allotments

Section 73.202(b) St. Anne, Illinois

Dear Ms. Salas:

STARadio Corporation, through counsel, hereby files an original and four copies of a Petition for Rule Making to amend the FM Table of Allotments by adding Channel 293A at St. Anne, Illinois, as that community's first local aural transmission service. Please contact the undersigned if you have any questions.

Sincerely yours,

Kenneth C. Howard, Jr.

Michael Ruger

Enclosures

John Karousos, Allocations Branch cc:

> No. of Capies rec'd\_0+4 List ABCDE

# FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON, DC 20554

In the Matter of	)	
	)	
Amendment of Section 73.202(b),	)	MM Docket No. 98
Table of Allotments,	)	RM
FM Broadcast Stations	)	
(St. Anne, Illinois)	)	

To: The Chief, Allocations Branch

#### PETITION FOR RULE MAKING

- 1. STARadio Corporation ("STARadio"), through counsel, hereby requests the allotment of FM Channel 293A to St. Anne, Illinois, as that community's first local aural transmission service. STARadio will apply for the channel if allotted.
- 2. St. Anne is an incorporated community with a 1990
  United States Census population of 1,153. The community has its
  own local government, a post office, schools and businesses.
- 3. As the attached engineering exhibit demonstrates, Channel 293A can be allotted to St. Anne in conformity with the minimum distance separation requirements of Section 73.207(b)(1) of the Commission's Rules with a site restriction of 12.6 kilometers (7.8 miles) southeast of the community at coordinates 40-56-20 North Latitude and 87-39-10 West Longitude.
  - 4. Accordingly, STARadio requests that the FM Table of

Allotments, Section 73.202(b) of the Commission's Rules, be amended as follows:

#### Community

<u>Present</u> <u>Proposed</u>

St. Anne, Illinois

293A

Allotment of the channel would serve the public interest by providing the community with its first local aural transmission service.

Respectfully submitted,

Kenneth C. Howard, Jr.

Michael Ruger

Counsel for STARadio Corporation

Baker & Hostetler LLP 1050 Connecticut Avenue, NW Suite 1100 Washington, DC 20036-5304

Telephone (202) 861-1500

Filed: April 15, 1998

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**MULLANEY ENGINEERING, INC.** 

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9049 SHADY GROVE COURT GAITHERSBURG, MD 20877

#### ENGINEERING EXHIBIT EE:

STARAdio Corporation SAINT ANNE, ILLINOIS ALLOTMENT OF CH. 293A

APRIL 13, 1998

ENGINEERING STATEMENT IN SUPPORT OF A
PETITION FOR RULE MAKING
TO AMEND
THE FM TABLE OF ASSIGNMENTS



### **MULLANEY ENGINEERING, INC.**

### ENGINEERING EXHIBIT EE:

STARAdio Corporation SAINT ANNE, ILLINOIS ALLOTMENT OF CH. 293A

#### TABLE OF CONTENTS:

- 1. Declaration of Engineer
- 2. Narrative Statement.
- 3. Figure 1, Channel Allocation Study for Ch. 293A from the Requested Reference Coordinates.
- 4. Figure 2, Allowable Area Map for Ch. 293A

#### **MULLANEY ENGINEERING, INC.**

#### **DECLARATION**

I, Thomas J. Johnson, declare and state that I am a graduate electrical engineer with a B.S.E.E. and my qualifications are known to the Federal Communications Commission, and that I am an engineer in the firm of Mullaney Engineering, Inc., and that firm has been retained by STARadio Corporation to prepare an engineering statement in support of a Petition to Amend the FM Table of Assignments.

All facts contained herein are true of my own knowledge except where stated to be on information or belief, and as to those facts, I believe them to be true. I declare under penalty of perjury that the foregoing is true and correct.

Thomas J. Johnson

Executed on the 13th day of APRIL 1998.

#### **MULLANEY ENGINEERING, INC.**

#### ENGINEERING EXHIBIT BE:

STARADIO Corporation SAINT ANNE, ILLINOIS ALLOTMENT OF CH. 293A

#### NARRATIVE STATEMENT:

#### I. GENERAL:

This engineering statement has been prepared on behalf of STARadio Corporation. The purpose of this statement is to support a request that the FM Table of Assignments be amended to allocate Ch. 293A at Saint Anne, (Kankakee County), Illinois as that community's first local service

It should be noted that the area in question is <u>not</u> within 290 kilometers (180 miles) of a U.S. Border and, therefore, foreign concurrence (Canadian) is <u>not</u> required.

#### II. ENGINEERING DISCUSSION:

#### A. Proposed Site:

STARadio Corporation proposes to erect a new tower approximately 12.6 KM (7.8 mi) southeast of the foremost northwestern border of Saint Anne. Because of required separations and FAA constraints, STARadio Corporation requests that this site be used as a special reference point for the allocation.

# STARAdio Corporation PETITION FOR RULE MAKING

# **MULLANEY ENGINEERING, INC.**

The following geographic coordinates are for a site which is 12.6 kilometers (7.8 miles) southeast of Saint Anne:

Latitude: 40° 56′ 20" Longitude: 87° 39′ 10"

The proposed site will provide an unobstructed view of the City of License, Saint Anne and is located close enough to serve the entire Community with the required 3.16 mV/M contour.

### B. Channel Allocation Study:

Figure 1 is a Channel Allocation Study from the Special Reference Point proposed herein which indicates the required separation in kilometers to all known Licenses, Construction Permits, Open Allocations, pending Applications, and pending Rule Makings. From this study it can be determined that the proposed special reference point meets all of the minimum separations. It should be noted that the two minor short spacings are within the 0.5 KM tolerance provided for in the rules. There are no known Canadian problems associated with this allocation.

Figure 2 is a map which illustrates these restrictions and the resulting area in which the tower site must be located.

# C. Public Interest Showing:

There is currently no AM or FM Station assigned to Saint Anne, Illinois. Grant of this proposed rule making would provide this community (1990 population 1,153 persons) with its first aural transmission facility.

# STARadio Corporation PETITION FOR RULE MAKING

#### **MULLANEY ENGINEERING, INC.**

Based upon the above reasons STARadio Corporation believes that the requested channel allocation is in the Public Interest and should therefore be granted by the Commission.

## III. SUMMARY:

STARadio Corporation requests that the FM Table of Assignments be amended to allocate FM Channel 293A at Saint Anne, Illinois.

City		Present	Proposed
Saint Anne,	Illinois	None	293A

STARadio Corporation believes that the proposed allocation of the only Full Time aural service assigned to STARadio Corporation, will Serve the Public Interest. If allotted, STARadio Corporation will promptly apply for a construction permit.

Thomas J. Johnson

April 13, 1998.

# \*\*\*\*\*\* FH CHANNEL STUDY NO. 1 - HULLANEY ENGINEERING, INC. GAITHERSBURG, MARYLAND - 10-APR-98 14:27:24 \*\*\*\*\*\*\*\* \*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

LAST UPDATE: 980409

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293 A ERP (KW) HAAT **RCAMSL NEW** FM POLARIZATION SAINT ANNE IL US HOR PLN BM TILT (METER) (METER) 40.5620 87.3910 (D.MMSS) HORIZONTAL 0.000 100.0 6.000 VERTICAL 6.000 0.000 100.0

			***THE CA	NADIAN BOR	DER	I	395.4 K	N ON A	BEAF	ING OF	70.3	DEG	. TRUE						
AZIMUTH						_	LAT	LONG						I-CON		<b>5707</b>	IR		REZLT
FROM TO (	CALL	STS	FILE NUMBER	CITY	ST	C	(D.NMS	5)	REL	CHN	HORZ	ÆKI	(M) A	F5010 (KM)	(KM)	DIST (KM)		(KH)	IR IC
0.8 180.8 W	ICKG	LIC	BLH830304AF	Elmwood P	IL	A	41,5244	87.3810	3RD	2908	4.1H	4.1	4820		(1417)	104.4		11	
139.6 319.9		ADD	RM9223	Fowler	IN	A	40.3805	87,1846	2ND	291A	Н	Ų	0			44.3	31.		
**COMMENT	**Site	e Rest	riction 1.3km	North									**[	OCKET*	<b>*</b> 98-38	**			
148.0 328.4 W	VXI	CP	BPED941006MA	Crawfords	IN	A	40.0319	86.5557	1ST	292A	3.4H	3.4	134			115.6	72.		
147.5 328.0 W	IXVI	LIC	BLH840525CK	Crawfords	IN	A	40.0219	86.5422	1ST	292A	3.00H	3 <b>,00</b> (	23			118.3	72.		
234.9 54.4 W	GCY	LIC	BLH960903KD	Gibson Ci	ΙL	A	40.3357	88.2048	1ST	292A	6.0H	6.00	98			71.8	72,		s
7.1 187.2 W	YBA	LIC	BLH860430KC	Lansing	ΙL	A	41.3444	87.3246	1ST	292A	2.00H	2.001	121			71.6	72.		s
170.5 350.9 W	WEL	LIC	BLH7547	Washingto	IN	A	38.3904	87.0955	CO	293B	50.H	50.4	104			257.4	178.		
107.9 289.9 W	ILSN	LIC	BLH901105KD	Greenvill	OH	A	40.0849	84.3636	CO	293B	50 .H	50.1	J 146			272.4	178.		
289.4 107.6 K	CQQ	CP	BMPH970701ID	Davenmort	IA	A	41.3758	90.2438	CO	29301	100.H	100.	273			243.5	200.		
286.2 104.3 K	(CQQ	LIC	BLH6481	Davenport	ΙA	A	41.3214	90.3430	CO	293C1	60.H	60.	V 64			253.8	200.		
45.7 227.1 W	<b>VOLR</b>	LIC	BLH7764	Kalamazoo	MI	A	42.2832	85.2922	CO	293B	33.H	33.	V 183			248.1	178.		
129.1 309.6 W	JGLM	LIC	BLH920625KA	West Lafa	IN	A	40.3120	86.5 <b>85</b> 7	151	294A	6.0H	6.0	V 100			73.1	72,		С
348,5 168,3 ₩	IYLL	LIC	BLH7489	Des Flain	IL	A	42.0810	87.5855	1ST	294B	50.H	50.	V 91			135.8	113.		
24.3 204.5 W	IZVN	LIC	BLH880609KB	Lowell	IN	Α	41.2109	87.2412	3RD	296A	1.30H	1.30	V 152			50.5	31.		
*********	*** <b>*</b>	*****	******	******	***	**1	******	******	***	*****	*****	****	*****	*****	****	****	*****	****	*****

CHANNEL ALLOCATION STUDY FOR CH. 293A FROM THE REQUESTED REFERENCE COORDINATES

STARadio CORPORATION SAINT ANNE, ILLINOIS ALLOTMENT OF CH. 293A MULLANEY ENGINEERING, INC. GAITHERSBURG, MARYLAND

FIGURE 1

**APRIL** 1998

